

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

In re:

THOMAS ALLEN WIGGINS
a/k/a Tom Allen Wiggins
a/k/a Tommie Allen Wiggins,
Debtor

Chapter 7

Bankruptcy No. 94-10408

ALLIED MUTUAL INSURANCE
COMPANY,

Plaintiff,

Adversary No. 94-1045KC

v.

THOMAS ALLEN WIGGINS,

Defendant.

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable Paul J. Kilburg, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

IT IS ORDERED AND ADJUDGED that this matter is determined to be nondischargeable pursuant to 11 U.S.C. § 523(a)(6).

IT IS FURTHER ORDERED that judgment is entered in favor of Plaintiff and against Defendant in the amount of \$10,996.50 plus interest.



[Seal of the U.S. Bankruptcy Court]
Date of Issuance: 10-7-94

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Melinda A. Gelay*
Deputy Clerk

Recorded: Vol. III
Page 235

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
OCT 07 1994
BARBARA A. EVERLY, CLERK

IN RE:)	
)	Chapter 7
THOMAS ALLEN WIGGINS)	
a/k/a Tom Allen Wiggins)	
a/k/a Tommie Allen Wiggins,)	
)	
Debtor.)	Bankruptcy No. 94-10408

ALLIED MUTUAL INSURANCE COMPANY,)	
)	Adversary No. 94-1045KC
Plaintiff,)	
)	
VS.)	
)	
THOMAS ALLEN WIGGINS,)	
)	
Defendant.)	

ORDER

On October 6, 1994, the above-captioned matter came on for hearing pursuant to assignment. Plaintiff appeared by Attorney Tom Peffer.

The matter before the Court is a final hearing on Plaintiff's complaint to deny dischargeability pursuant to 11 U.S.C. § 523(a)(6) and a request for judgment in the amount of the resulting damages.

A default was entered against the Defendant for failure to appear on September 8, 1994. The present hearing was scheduled for trial on September 9, 1994 to determine the appropriate amount of damages. Plaintiff submitted an Affidavit to the Court establishing total damages in the amount of \$10,996.50 plus interest.

The Court finds the Plaintiff has established that this claim is nondischargeable pursuant to 11 U.S.C. § 523(a)(6).

Further, the finds that the total amount of damages incurred by Plaintiff is in the amount of \$10,996.50 plus interest.


WHEREFORE, this matter is determined to be nondischargeable pursuant to 11 U.S.C. § 523(a)(6).

10

FURTHER, judgment is entered in favor of Plaintiff and against Defendant in the amount of \$10,996.50 plus interest.

FURTHER, judgment shall enter accordingly.

SO ORDERED this 2 day of October, 1994.



Paul J. Kilburg
U.S. Bankruptcy Judge

Notice sent to: *W Judgment*

Thomas P. Peffer
500 Firstar Building
P.O. Box 2107
Cedar Rapids, IA 52406

Thomas Allen Wiggins
103 East South Street
PO Box 224
Mechanicsville, IA 52306

US Trustee - CR
Law Building Suite 400
225 2nd Street SE
Cedar Rapids, IA 52401

Michael Vestle
Suite 1150 Ground Transportation Center
425 Second St. SE
Cedar Rapids, IA 52401

Eric Lam
P O Box 1943
CEDAR Rapids, IA 52406

10-7-94 mg

United States Bankruptcy Court

NORTHERN District of IOWA

In re

Thomas A. Wiggins

Chapter 7
Bankruptcy Case No. 94-10408

Debtor

Allied Mutual Insurance Company
Plaintiff

v.

Adversary Proceeding No. 94-1045KC

Thomas A. Wiggins
Defendant

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor Allied Mutual Insurance Company 701 Fifth Avenue Des Moines IA 50391-2004
--

Amount of Judgment:

\$10,996.50

Clerk's Fee:

\$

Other Costs:

\$

Interest From: April 26, 1994

\$

Costs of this writ:

\$

vs.

Name and Address of Judgment Debtor Thomas A. Wiggins 103 East Fifth Street Mechanicsville IA 52306
--

TO THE UNITED STATES MARSHAL FOR THE Northern DISTRICT OF Iowa:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

Nov. 28, 1994
Date

Barbara A. Everly
Clerk of the Bankruptcy Court
BARBARA A. EVERLY

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By:

Deputy Marshal

Recorded:
Vol III
Page 235